

Message Text

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FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC IMMEDIATE 5841

C O N F I D E N T I A L SECTION 1 OF 2 BUENOS AIRES 4040

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FROM UNDERSECRETARY NEWSOM

DEPARTMENT PASS SECRETARY BROWN DOD AND CHAIRMAN JCS

1. SUMMARY: AFTER DAY OF EXTENSIVE CONVERSATIONS IN BUENOS AIRES, I CONCLUDE THAT FAVORABLE STEPS ARE BEING TAKEN IN HUMAN RIGHTS FIELD IN ARGENTINA AND THAT PRESIDENT VIDELA, AT LEAST, WISHES THIS TREND TO CONTINUE. PICTURE EMERGING IN ONE AREA - PROCESSING OF DETAINEES - LESS CLEAR AND WE WERE ABLE TO GET NO NUMERICAL COMMITMENTS ON RELEASES. MOST POSITIVE NEW ELEMENT WAS PRESIDENT'S CONFIDING IN US THAT HE HAS INSTRUCTED FOREIGN MINISTER AT OAS SESSION IN JUNE TO ANNOUNCE ARGENTINA'S WILLINGNESS TO HAVE VISIT FROM OAS HUMAN RIGHTS COMMISSION. ON THIS BASIS, I AM RECOMMENDING THAT AMBASSADOR CASTRO BE AUTHORIZED TO INFORM VIDELA PRIVATELY THAT, ONCE THIS ANNOUNCEMENT HAS BEEN MADE, WE WILL, AFTER CONGRESSIONAL CONSULTATIONS, RESUME SALE OF MILITARY TRAINING. END SUMMARY.

2. ON MAY 24, AMBASSADOR, FRED RONDON, AND I MET SUCCESSIVELY WITH UNDERSECRETARY ALLARA AND GROUP AT FOREIGN OFFICE, FOREIGN MINISTER MONTES, MINISTER OF INTERIOR HARGUINDEGY, PRESIDENT VIDELA, PRESIDENT OF SUPREME COURT HEREDIA, AIR FORCE CHIEF AGOSTI AND ADMIRAL MASSERA, NAVY CHIEF. THESE SESSIONS WERE FOLLOWED BY FURTHER MEETING WITH
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INTERIOR MINISTER AND GENERAL VIOLA DURING RECEPTION AT RESIDENCE IN EVENING.

3. MY APPROACH IN EACH MEETING WAS TO STATE THAT MY VISIT WAS MANIFESTATION OF DESIRE WITHIN USG FOR NORMAL RELATIONS WITH IMPORTANT LATIN AMERICAN COUNTRY, BUT THAT SUCH RELATIONS WERE NOT POSSIBLE IN LIGHT OF WIDESPREAD U.S.

CONCERN FOR HUMAN RIGHTS AND PERCEPTION OF SITUATION IN ARGENTINA. I WAS IN BUENOS AIRES TO EXAMINE WHETHER ARGENTINE PROGRESS IN THIS FIELD WAS SUCH AS TO JUSTIFY IN EXECUTIVE AND CONGRESS RELEASE OF OUTSTANDING ARGENTINE ORDERS. WE UNDERSTOOD WHAT ARGENTINA HAD BEEN THROUGH AND AGREED ON DESIRABILITY CLOSE RELATIONS THESE TWO SIGNIFICANT AMERICAN NATIONS, BUT POLITICAL REALITIES IN BOTH COUNTRIES APPEARED TO PLACE LIMITS ON WHAT WE COULD DO.

4. EXIM BANK LOANS WERE RAISED ONLY IN FOREIGN OFFICE MEETING. I EXPLAINED BANK'S DIFFICULTIES IN PROCEEDING WHILE ITS LEGISLATION IN CONGRESS AND IN FACE STRONG HUMAN RIGHTS FEELINGS, BUT EMPHASIZED FINAL DECISIONS HAD NOT BEEN MADE. I HAD FEELING THIS NOT MAJOR LEVERAGE POINT WITH GOA. THEY HAVE AMPLE OTHER SOURCES OF SUPPLY AND FINANCING, EXCEPT POSSIBLY, FOR \$200,000,000 COMMERCIAL AIRCRAFT ORDER.

5. QUITE APART FROM OBVIOUS INTEREST IN RELATIONS WITH US BECAUSE OF MILITARY SUPPLY, I FOUND, MORE THAN I HAD EXPECTED, FEELING THAT RELATIONS WITH US WERE IMPORTANT FOR THEIR OWN SAKE. THERE IS MYSTIQUE ABOUT U.S. HERE WHICH IS IMPORTANT ELEMENT IN DECISIONS THEY MAKE.

6. FROM CONVERSATIONS, THESE POSITIVE ELEMENTS EMERGED (IN ADDITION TO ACTIONS ON TIMERMAN, DEUTSCH, AND DECEMBER RELEASES):
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A. PRESIDENT INFORMED US IN CONFIDENCE (WHICH I PROMISED TO RESPECT) ARGENTINA WOULD ANNOUNCE ITS WILLINGNESS RECEIVE OAS HUMAN RIGHTS COMMISSION AT MEETING IN JUNE. THIS MAY HAVE BEEN DECISION HE MADE AS RESULT MY VISIT. IN EARLIER MEETING WITH FOREIGN OFFICE WE HAD BEEN INFORMED ARGENTINA UNHAPPY WITH OAS COMMISSION BECAUSE THEY HAD INTERRUPTED DIALOGUE TO PRESS FOR VISIT. I HAD MADE CLEAR IN THAT AND OTHER CONVERSATIONS IMPORTANCE WE ATTACHED TO VISITS BY OUTSIDE ORGANIZATIONS.

B. MINISTER OF INTERIOR IN RECENT SPEECH TO POLICE CHIEFS HAS EMPHASIZED NEED FOR HUMANE TREATMENT OF ALL ARRESTED PERSONS. SIMILAR WORD APPARENTLY HAS GONE OUT MORE QUIETLY TO ARMY. THERE APPEARS DEFINITE DIMINUTION REPORTS ANTI-TERRORIST OPERATIONS AND DISAPPEARANCE. (IN MEETING WITH PRESIDENT, I ASKED FOR ACCURATE DATA ON DETAINEES. MINISTER OF INTERIOR HANDED ME FACT SHEET IN EVENING STATING THAT 3,363 PERSONS ARE PRESENTLY DETAINED -- 1,544 APPREHENDED SINCE THE MILITARY TAKEOVER IN MARCH OF 1976, THE REMAINDER BEFORE THAT DATE. CLAIM IS MADE THAT 3,328 PEOPLE ARRESTED FOR "TERRORIST" ACTIVITY HAVE BEEN RELEASED FROM CUSTODY

(2,554 OF THEM SINCE THE MILITARY TAKEOVER), AND THAT A TOTAL OF 1,679 ADDITIONAL HAVE BEEN SENTENCED OR RELEASED THROUGH JUDICIAL PROCESS, CIVIL AND MILITARY. (OF THESE CASES, 911 HAVE BEEN TRIED SINCE MARCH OF 1976.) THE FACT SHEET STATES THAT 600 PEOPLE HAVE BEEN PERMITTED TO LEAVE THE COUNTRY UNDER "RIGHT OF OPETION", 160 FOREIGNERS EXPELLED, AND 58 PERSONS HAVE DIED WHILE IN CUSTODY. (NOTE: NO DATES WERE GIVEN FOR THESE LAST FIGURES, NOR OTHER CIRCUMSTANCES EXPLAINED.) MINISTER AND FOREIGN OFFICE OFFICIALS ACKNOWLEDGED FAR LARGER NUMBERS OF DISAPPEARED. REFERRING TO LISTS PUBLISHED IN PRESS BY HUMAN RIGHTS ORGANIZATIONS THEY SAID THEY WERE NOW SEEKING TO ESTABLISH IDENTITY SO THEY COULD RESPOND TO RELATIVES.)

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C. CASES OF ALL SOME 3,300 POLITICAL PRISONERS ARE NOW BEING REVIEWED TO DETERMINE WHICH SHALL BE GIVEN RIGHT OF OPTION, WHICH RELEASED, AND WHICH REMANDED TO CIVILIAN COURTS.

D. PRESIDENT VIDELA STATED HE WOULD SPEED UP EXERCISE OF RIGHT OF OPTION IF WE WERE TO OFFER MORE SPACES IN U.S. (I DID NOT MAKE ANY COMMITMENT IN VIEW MY UNCERTAINTY AS TO

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C O N F I D E N T I A L SECTION 2 OF 2 BUENOS AIRES 4040

NODIS

FROM UNDERSECRETARY NEWSOM

DEPARTMENT PASS SECRETARY BROWN DOD AND CHAIRMAN JCS

WHAT ACTION ATTORNEY GENERAL MAY TAKE IN PENDING PROPOSAL FOR 500 RIGHT OF OPTION PAROLES.)

E. PRESIDENT VIDELA AND OTHER MEMBERS OF JUNTA MADE CLEAR THEIR GOAL OF ULTIMATE RETURN TO CIVILIAN RULE. WHILE IT MAY BE SUPERFICIAL IMPRESSION, I DID NOT GAIN FEELING THAT PERSONALITIES IN JUNTA WERE SEEKING TO RETAIN POSITION FOR OWN PERSONAL POLITICAL OR FINANCIAL GAIN AS IN SOME OTHER COUNTRIES. I WAS IMPRESSED BY FACT THAT EACH HAS DATE FOR STEPPING DOWN FROM JUNTA ROLE. HOWEVER WE MAY DISLIKE THE WAY THEY CARRY IT OUT, THERE DOES SEEM DEFINITE FEELING OF RESPONSIBILITY FOR BRINGING COUNTRY BACK TO NORMAL POLITICAL PROCESSES.

F. ICRC VISITS CONTINUE TO PRISONS WITH SOME EFFECT ON CONDITIONS.

7. THERE ARE, ON THE OTHER HAND, LESS POSITIVE ELEMENTS:
A. THE DETAINEE REVIEW PROCESS IS AN ADMINISTRATIVE ONE ONLY; THERE IS NO OPPORTUNITY FOR ACCUSED TO APPEAR OR BE REPRESENTED AS DOSSIERS ARE REVIEWED.
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B. PRESIDENT AND OTHERS WERE UNWILLING MAKE COMMITMENT ON TIME TABLE FOR REVIEW, ALTHOUGH THEY SAID RELEASE OF ADDITION 500 BY END OF 1978 WAS "REASONABLE EXPECTATION."

C. IT IS UNCLEAR HOW LONG THOSE WILL BE DETAINED WHO ARE SUSPECTED TERRORISTS, BUT ON WHOM THERE IS INSUFFICIENT EVIDENCE TO CONVICT IN COURT. I HAMMERED HARD ON UNACCEPTABILITY THIS SITUATION IN US AND HAVE, AT LEAST, RAISED THEIR CONSCIOUSNESS OF THIS PROBLEM AREA. SINCE TOTAL REVIEW STILL GOING ON IT IS DIFFICULT TO STATE HOW MANY MAY ULTIMATELY FALL IN THIS CATEGORY OF INDEFINITE DETENTION WITHOUT TRIAL.

D. THERE WILL CONTINUE TO BE ARRESTS UNDER STATE OF SIEGE ORDERS. PRESIDENT OF ONE COMMUNIST PARTY DOMINATED HUMAN RIGHTS ORGANIZATION WAS ARRESTED FEW DAYS BEFORE MY ARRIVAL. I POINTED OUT THIS WAS EXACTLY KIND OF EVENT WHICH SET BACK EFFORTS TO NORMALIZE RELATIONS. HE WAS RELEASED LAST NIGHT (MAY 25) AFTER BEING HELD AT POLICE PRECINCT STATION.

E. REPORTS OF TORTURE CONTINUE TO BE RECEIVED BUT CONFIRMATION IS DIFFICULT.

8. IT WOULD BE RASH TO PREDICT THAT WE WILL BE UNINTERRUPTED POSITIVE TREND IN HUMAN RIGHTS IN ARGENTINA. HARDLINERS WITHIN REGIME WILL UNDOUBTEDLY CONTINUE TO SANCTION OR TAKE REPREHENSIBLE ACTIONS WHICH WILL GAIN WORLD ATTENTION. CONTROL OVER ELEMENTS AT LOWER ECHELONS IS FAR FROM COMPLETE. NEVER THELESS, THERE IS ON PART OF PRESIDENT VIDELA AND MEMBERS OF JUNTA I MET CLEAR DESIRE TO IMPROVE SITUATION. SUCCESSION

OF DISCUSSIONS WITH US OFFICIALS, INCLUDING PRESIDENT CARTER, HAS CLEARLY RAISED CONSCIOUSNESS OF HUMAN RIGHTS CONCERNS AND HAS, I BELIEVE HAD POSITIVE IMPACT. AMBASSADOR CASTRO HAS EFFECTIVELY CONTINUED DIALOGUE AND IS IN POSITION TO CONTINUE AND, PARTICULARLY, TO RAISE INDIVIDUALY ACTS WHICH REPRESENT SET BACK TO OUR EFFORTS.

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9. OUT OF THESE CONSIDERATIONS, I REACH CONCLUSION THAT TRENDS HERE AND IMPORTANCE OF RESPONDING TO ARGENTINE DESIRE FOR NORMAL RELATIONS JUSTIFY MODEST STEP. WITHOUT SUCH STEP, I CANNOT SAY OUR ACCESS HERE WOULD BE SERIOUSLY REDUCED, BUT I DO BELIEVE THAT WITH SUCH STEP OUR LEVERAGE IN HUMAN RIGHTS WILL CONTINUE AND COOPERATION IN OTHER FIELDS (SUCH AS NUCLEAR QUESTIONS) MORE LIKELY.

10. PRESIDENT'S DECISION TO PERMIT VISIT BY OAS COMMISSION GIVES US POSITIVE STEP ON WHICH TO BASE POSITIVE RESPONSE. TO LET HIM KNOW THAT WE ARE RESPONDING, PROPOSE THAT AMBASSADOR CASTRO BE AUTHORIZED TO INFORM HIM IMMEDIATELY THAT, AS RESULT VISIT, I AM RECOMMENDING THAT, ONCE THIS ANNOUNCEMENT IS MADE, WE WILL CONSULT WITH KEY MEMBERS OF CONGRESS AND, FOLLOWING SUCH CONSULTATIONS WILL RESUME SALE OF MILITARY TRAINING. WE WILL THEREAFTER, CONTINUE TO EXAMINE SITUATION AND, IF POSITIVE TRENDS CONTINUE (PARTICULARLY ON DETAINEES), WILL SEEK TO RESPOND WITH OTHER RELEASES.

11. AT SAME TIME, I AM SUGGESTING TO AMBASSADOR THAT HE CONTINUE, AS HE HAS, TO POINT OUT IMMEDIATELY THOSE ACTIONS WHICH WILL COMPLICATE OUR EFFORTS (SUCH AS FURTHER ARRESTS, REPORTS OF NEW DISAPPEARANCES, ETC.)

12. GENERAL SURUT AND ADMIRAL SCHULLER WILL MAKE CALLS TOMORROW ON SERVICE CHIEFS AND WILL CONVEY MESSAGE SIMILAR MINE (PARA 3 ABOVE). THEY WILL MAKE NO COMMITMENTS ON FUTURE SALES OR GIVE INDICATION OUR CONCLUSIONS. THEIR VISITS WILL BE HELPFUL IN GIVING US FURTHER FEED BACK ON YESTERDAY'S CONVERSATIONS.

13. I WILL MEET WITH U.S. CORRESPONDENTS IN BUENOS AIRES ON BACKGROUND BASIS BEFORE MY DEPARTURE. EMBASSY WILL SEND REPORT. MY PLAN IS MERELY TO OUTLINE PROBLEM WITHOUT INDICATING WHERE I COME OUT OR WHAT I AM RECOMMENDING TO DEPARTMENT.

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14. I AM ALSO MEETING WITH REPRESENTATIVES FROM HUMAN RIGHTS ORGANIZATIONS, INCLUDING "MOTHERS OF DISAPPEARED" GROUP, AND PRIVATELY WITH BUENOS AIRES HERALD DIRECTOR COX, NOTED FOR HIS COURAGEOUS PUBLIC ADVOCACY OF HUMAN RIGHTS. CASTRO

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